

REMARKS

Claims 1, 2, 4, 5, and 10-13 are all the claims pending in the application. By this amendment, in order to accelerate prosecution, the recitations of dependent claim 3 have been added to independent claim 1, and claims 3 and 6-9 have been cancelled.

Claims 1 and 10 are independent claims.

Statement of Substance of Interview

Applicant thanks Supervisory Examiner Azad and Examiner Drennan for the courtesies extended to Mr. Satoshi Murata of Aisin Seiki and Applicant's undersigned representative during the personal interview on March 18, 2009. Applicant has amended the claims in the manner requested by the Examiners in order to overcome the rejections under 35 U.S.C. § 101 and 112.

Objection to the Title

The Examiner has objected to the title, alleging that it is not descriptive. In response, Applicant has amended the title to state --Device for Detecting a Road Traveling Lane using an Edge Histogram-- and respectfully requests the Examiner to withdraw this objection.

Claim Rejection Under 35 U.S.C. § 101

Claims 1-13 are rejected under 35 U.S.C. § 101. The Examiner alleges that the claims encompass embodiments in which each limitation is implemented as pure software.

In response to these rejections, Applicant has amended the claims so that they recite the additional structure of an image pickup means for picking up images on a road surface continuously. In view of this structure, the claims are not directed to pure software, and Applicant respectfully requests the Examiner to withdraw this rejection.

Claim Rejections Under 35 U.S.C. § 112

Claims 1-13 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite.

First, the Examiner alleges that there is insufficient description of the structure in the specification that corresponds to the means-plus-function limitations. In response, Applicant has modified the claims so that the structures of the various computer-implemented sections, as shown in FIG. 2, are recited and means-plus-function language has been eliminated.

With respect to claims 10-12, Applicant has replaced the phrase “said vehicle” with the phrase --a vehicle--.

In view of these amendments, Applicant respectfully requests the Examiner to withdraw this rejection.

Claim Rejections Under 35 U.S.C. § 103

Claims 1, 4, 5, 6, 8, and 9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Otsuka et al. (US 2003/0103650) in view of Saka et al. (US 6,590,521).

Claims 2 and 7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Otsuka in view of Saka, and further in view of Kakinami (US 5,991,427).

As discussed above, in order to accelerate prosecution, the recitations of dependent claim 3--which was not rejected in view of any prior art--have been added to independent claim 1, and claim 3 and 6-9 have been cancelled. Thus, the prior art rejections are now moot.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/John M. Bird/

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

John M. Bird
Registration No. 46,027

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

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